

THE FOLLOWING HEARING WAS DEFERRED & REVISED FROM 1/27/05 TO THIS DATE:

HEARING NO. 05-1-CZ7-1 (04-247)

32-52-42
Council Area 7
Comm. Dist. 4

APPLICANT: STERLING PETROLEUM ENTERPRISES, INC.

- (1) Applicant is requesting to permit a fuel island canopy setback varying from 6' to 10.3' from the front (east and west) property lines on a dual frontage lot (17' required from both).
- (2) Applicant is requesting to permit a gas station/convenience store setback 5.9' from the front (east) property line and setback 18.4' from the front (west) property line on a dual frontage lot (20' required for both).
- (3) Applicant is requesting to permit said gas station/convenience store with 3 parking spaces (7 required).
- (4) Applicant is requesting to permit a landscape buffer varying from 0.25' to 6.5' (7' required) along the rights-of-way.

Upon a demonstration that the applicable standards have been satisfied, approval of these requests may be considered under §33-311(A)(16) (Alternative Site Development Option for the BU Zoning District) or under §33-311(A)(4)(b) (Non-Use Variance) or (c) (alternative Non-Use Variance).

Plans are on file and may be examined in the Zoning Department entitled "Westar Service Station Canopy," as prepared by Carlos Marin & Associates, consisting of 3 sheets and dated 6/22/04 and 1 sheet dated 1/16/05. Plans may be modified at public hearing.

SUBJECT PROPERTY: EXHIBIT "A": Commencing at the Northwest corner of the SW ¼ of the NE ¼ of the NE ¼ of Section 32, Township 52 South, Range 42 East; thence run N88°57'45"E along the north boundary of the SW ¼ of the NE ¼ of the NE ¼ of said Section 32 for a distance of 5.63' to the Point of intersection with the E/ly right-of-way boundary of East Dixie Highway; thence run S11°17'12"W along the E/ly right-of-way boundary of said East Dixie Highway a distance of 116.44' to the Point of beginning of the parcel of land hereinafter to be described; thence continue on the last described course a distance of 242.16' to the Point of intersection with the E/ly extension of the north right-of-way boundary of N.E. 116 Street, as shown on PLAT OF BISCAYNE SHORES, UNIT NO. 4 CORRECTED, Plat book 32, Page 39; thence run N88°58'12"E along the last described line a distance of 28.71' to the Point of intersection with the W/ly right-of-way boundary of Florida State Road No. 5; thence run N23°09'23"E along the W/ly right-of-way boundary of said State Road No. 5 a distance of 240.54' to a point, said point being 143.54' S/ly of the north boundary of the SW ¼ of the NE ¼ of the NE ¼ of said Section 32; thence run N78°24'16"W a distance of 77.53' to the Point of beginning: LESS THE FOLLOWING PARCEL: A portion of the SW ¼ of the NE ¼ of the NE ¼ and a portion of the SE ¼ of the NW ¼ of the NE ¼ of Section 32, Township 52 South, Range 42 East, being more particularly described as follows:

Commence at the Northwest corner of the SW ¼ of the NE ¼ of the NE ¼ of said Section 32; thence run N87°00'17"E along the north line of said fractional portion of land a distance of 1.716 meters (5.63') to the E/ly right-of-way line of East Dixie Highway, as shown on the corrected

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PLAT OF BISCYANE SHORES, UNIT NO. 4, Plat book 32, Page 39; thence run S09°20'51"W along said E/ly right-of-way line a distance of 93.44 meters (306.56') to the Point of beginning of the parcel of land hereinafter to be described; thence run S80°39'09"E, at right angles, for 6.092 meters (19.99') to the Point of intersection with a line 15.24 meters (50') NW/ly of and parallel with the centerline of former Federal Highway (presently Biscayne Boulevard/State Road #5) as shown on the plat of federal and project No. 41, Plat book 10, Page 61, and as dedicated by Deed Book 677, Page 298; thence run N21°14'35"E along said NW/ly parallel line for 59.105 meters (193.91'); thence run S80°10'20"E a distance of 5.286 meters (17.34') to the NW/ly right-of-way line of said Biscayne Boulevard/State Road 5 as shown on the plat federal and project no. 41 (10.058 meters or 33' NW/ly of the centerline of said Biscayne Boulevard/State Road 5); thence run S21°14'35"W along said NW/ly right-of-way line for 73.46 meters (241.01') to the E/ly projection of the north right-of-way line of N.E. 116th Street; thence run S87°04'32"W along said E/ly projection of 8.615 meters (28.27') to the E/ly line of said East Dixie Highway; thence run N09°20'51"E along said E/ly line for 15.922 meters (52.24') to the Point of beginning.

LOCATION: 11650 Biscayne Boulevard, Miami-Dade County, Florida.

SIZE OF PROPERTY: 7,599 sq. ft.

PRESENT ZONING: BU-2 (Business – Special)